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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,455	12/22/2000	Stephane Harnois	G&C 30566.137US01	9812

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EXAMINER	
VENT, JAMIE J	
ART UNIT	**PAPER NUMBER**
2621	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	09/747,455	HARNOIS, STEPHANE	
	Examiner	Art Unit	
	Jamie Vent	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 January 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

Response to Amendment

The statement of common ownership filed on January 9, 2007 under 37 CFR 1.131 is sufficient to overcome the Bopardikar (US6,826,778) reference.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by Auld et al (US 5,818,533) in view of Ng et al (US 5,278,838).

[claim 1]

In regard to Claim 1, Auld et al discloses an image processing apparatus and method having a computer-readable medium with computer readable instructions configured to store image data with redundant protection comprising:

- input means configured to receive an input stream of real-time digital video data (Figure 7a shows the input stream of encoded video data as further stated in Column 17 Lines 45-56);
- storage means for storing image data in an array of disks(Figure 7a step 506 shows the storage medium for storing the data); and
- processing means arranged to perform processing operations upon said image data (Figure 7a shows the processing means which processes the operations), wherein
- said input means receives an input stream of real-time digital video data (Column 11 Lines 22-35 describes the input means receiving real time video data from an external source);
- said processing means performs a reading operation to read said data from said storage means, perform a data manipulation upon said video data and generate parity information to create protected video data (Column 20 Lines 52+ and describe the processing which performs the reading operations and data manipulations); and
- said processing means performs a second writing operation to write said protected video data to said storage means (Column 20 Lines 28+ describes the additional writing operation to write the protected video data to the storage means through the reconstruction of the B frame twice); however, fails to disclose a said processing means performs a first writing operation to write said video data to said storage array means in real-time without RAID calculations and without parity.

Ng et al discloses in Column 3 Lines 5+ describes the processing of the write operations wherein the processing is done without RAID calculations and without parity. This is done as disclosed by Ng et al by not conforming to RAIDs 4 and 5 and thereby provides the ability to process with calculations and without parity to allow for the system to process the images appropriately in a fast and efficient manner. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use an image processing apparatus, as disclosed by Auld et al, and further incorporate a system that processes without calculations and without parity, as disclosed by Ng et al.

[claims 2 & 9]

In regard to Claims 2 and 9, Auld et al discloses an image processing apparatus wherein said real-time digital data represents high definition images defined by luminance samples and color difference samples (Column 2 Lines 27-35 describes the input of the real-time digital data that is representative of high definition data).

[claims 3 & 10]

In regard to Claims 3 and 10, Auld et al discloses an image processing apparatus wherein said high definition digital video data is derived by scanning cinematographic film (Column 2 Lines 27-67 describes the high definition data that is inputted into the system and furthermore it is inherent that the high definition digital video data that is inputted into the system is derived from a scanning cinematographic film).

[claims 4 & 11]

In regard to Claims 4 and 11, Auld et al discloses an apparatus wherein said real-time digital video data represents standard broadcast television images defined by luminance and color difference signals (Column 5 Lines 35-64 describes the real-time digital video data that

represents the television images which is defined by the luminance and color difference signals).

[claims 5 & 12]

In regard to Claims 5 and 12, Auld et al discloses an apparatus wherein said luminance samples and said color difference samples are converted to three color samples before performing said writing step (Column 2 Lines 27-35 describes the input of the real-time digital data that is representative of high definition data).

[claims 6 & 13]

In regard to Claims 6 and 13, Auld et al discloses an apparatus wherein said data manipulation step includes converting luminance plus color difference signals into three color samples (Column 3 Lines 25-37 describes the converting of the different signals into three color samples before manipulating the data).

[claims 7 & 14]

In regard to Claims 7 and 14, Auld et al discloses an apparatus wherein said data manipulation step includes generating reduced bandwidth proxy images and writing said proxy images to storage (Figure 7a shows the data manipulation step which includes bandwidth proxy images and writing the images to storage).

[claims 8, 15, & 19]

In regard to Claims 8, 15, and 19, Auld et al discloses an image processing apparatus and method, as previously discussed in Claim 1, with the additional limitation of calculating redundant parity data to generate protected image data (Column 20 Lines 52+ and describe the processing which performs the reading operations and data manipulations).

[claims 16 & 17]

In regard to Claims 16 and 17, Auld et al discloses an image process apparatus and method, as previously disclosed in Claim 2, with the additional limitation of the converting of samples representing luminance and color difference to three colors (RGB) samples before performing said first writing step (Column 20 Lines 52+ and describe the processing which performs the reading operations and data manipulations).

[claims 18 & 20]

In regard to Claims 18 and 20, Auld et al discloses an image process apparatus and method, as previously disclosed in Claim 3, with the additional limitation of the generating reduced bandwidth proxy images and writing said proxy images to storage during said data manipulation step (Column 2 Lines 27-67 describes the data manipulation step which includes bandwidth proxy images and writing the images to storage).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Morley et al (US 6,985,589);
- Isani et al (US 5,452,235);
- Gareiss (US 5,422,390).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Groody can be reached on 571-272-7950. Effective July 15, 2005, the

Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jamie Vent

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